

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Jeremiah E. Spence**

**Docket No. 5:13-MJ-1828-1**

**Petition for Action on Probation**

COMES NOW Debbie W. Starling, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jeremiah E. Spence, who, upon an earlier plea of guilty to Level 5 Driving While Impaired, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on October 8, 2013, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until privilege to do so is restored in accordance with law.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** The defendant has been supervised by the Southern District of Georgia, since his term of supervision commenced. According to his supervising officer, the defendant submitted a urine specimen on March 25, 2014, which proved positive for marijuana, and admitted that he smoked marijuana on March 17, 2014. The defendant has been verbally reprimanded, and is currently participating in substance abuse treatment. In order to more closely monitor the defendant for the detection of future drug use by more frequent testing, it is respectfully recommended this his conditions of probation be modified to include the drug aftercare program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Debbie W. Starling  
Debbie W. Starling  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: April 10, 2014

**ORDER OF COURT**

Considered and ordered this 11th day of April, 2014, and ordered filed and made a part of the records in the above case.

  
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James E. Gates  
U.S. Magistrate Judge

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**FOR JUDGE'S REVIEW ONLY**

**DO NOT FILE**



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